

Republicans Have New Tactics, Same Old Goal - January 4, 2005

Republicans Have New Tactics, Same Old Goal: Revised Rules Package Still Designed to Dismantle Ethics Process in the House

Remarks on Ethics Rules Change, Opening Day Rules Package for the 109th Congress

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Mr. Speaker, all over Washington and in the country, people are talking today about the majority's last-minute decision to abandon rules changes that would have eviscerated longstanding ethical guidelines in this House, and, with that, the integrity of the institution. And while in the end the majority was right to withdraw these provisions, they hardly deserve our congratulations. The Republicans simply succumbed to tough criticism from every major ethics group in Washington, several major news organizations and House Democrats. The rules changes in question were so egregious that rank-and-file Republicans would not support their leadership's plan. The proposals were so offensive that the Ethics Committee chairman broke with his own leadership on the issue.

One of the changes would have permitted Members, indicted by a grand jury on felony counts, to continue to hold House leadership positions. The measure was similar to a conference rule the House Republican Conference passed last fall to protect its leadership in the event that one of them is indicted. The fact that they ever considered changing the rules of the House in this disgraceful manner is a sad commentary on the ethical compass of this body's leadership.

They also planned to eliminate a 30-year standing rule that Members of Congress could be disciplined for actions that brought dishonor and discredit on this House, the people's House. This standard is similar to the one that exists for the men and women serving in our military. How could they even think about changing the House rules in this regard when to do so would mean demanding a higher ethical standard from an 18-year-old private in the Army than we who sit in this hallowed Chamber? How could we ask more from our young people than we ask of ourselves?

It is hard to believe that there was a time in the not too distant past when the Republicans touted their high ethical and moral standards. Mr. Speaker, it seems to me that this entire episode has been a violation of the public trust. When Americans enter their voting booths and cast their ballots for Congress, they give us a very precious gift, their trust. American voters expect, and rightly so, that we as Members of Congress will conduct ourselves at the highest ethical standard and uphold democratic principles such as integrity and accountability. How can we as the guardians of democracy spread the values of self-governance across the world if we refuse to govern ourselves right here in this Chamber?

Mr. Speaker, though we should all be relieved that the Republicans were shamed into abandoning the most overtly egregious provisions, the remaining ethics provisions in today's legislation will still destroy the House ethics process. I cannot say it more plainly than that. The ethics process will be destroyed. The tactics have changed, but the end result is the same. The House ethics system will be gutted.

Mr. Speaker, the Committee on Standards of Official Conduct is the only evenly divided committee in the House. As the rule stands today, if the five Republicans and five Democrats on the committee do not reach agreement about the merits of an ethics complaint, it is automatically referred to investigators. This approach was designed to take the partisan politics out of the equation and to ensure that meritorious complaints would be investigated regardless of the political winds of the day. Under the Republican rules package, one-half of the committee will now have the power to bury complaints, even the most meritorious ones. Under the rules package before us today, if the committee is deadlocked, the ethics complaint dies. This one provision gives the Republicans an enormous amount of control over who is and who is not investigated by the Committee on Standards of Official Conduct.

In practical terms, the Republicans have granted themselves veto power over any complaint it does not deem palatable. Mr. Speaker, this rules package would effectively eliminate the 45-day deadline the Committee on Standards of Official Conduct currently has to act on complaints. The 45-day requirement was designed to prevent ethics complaints from being buried away from public view and to ensure that those Members who should be held accountable for corruption would be. This provision ensures that no ethics complaint will move forward against a Republican without their leadership's consent.

Mr. Speaker, we can be sure that if these rules changes had been in place in the last Congress, no ethics complaints would have seen the light of day. Under the Republicans, the ethical climate in Washington has eroded enormously.

When I speak to constituents, I find myself telling them to forget what they learned in school about how a bill becomes a law. In times past, our laws were written to serve the public interest. But today the sad reality is that corporations like Enron write our Nation's policies. The Medicare drug bill that was rammed through Congress in the dead of night stands as a potent example of the ethical erosion of the House of Representatives. When the dust settled on the prescription drug vote, former Representative Billy Tauzin, the key author and then chairman of the Committee on Energy and Commerce, had himself a \$2-million-dollar-a-year job lobbying with the drug industry. After the ethical circus surrounding the prescription drug vote, this body should be acting to strengthen the ethics systems in this House, not to destroy it. We were even unable, Mr. Speaker, to ascertain from any official of the Federal Government how much the bill actually cost.

The Republican rules package will reduce this committee to a paper tiger. The American people deserve much better than to have a "for sale" sign placed on the United States House of Representatives. They deserve to be able to trust their elected leaders and have faith in the integrity of this institution. They should be able to expect accountability from their government. Unfortunately, the lesson we have here today is if you have the power and you break the rules, you can just change the rules.

Mr. Speaker, I know there are Members on the other side of the aisle, because I know them, who care greatly about the integrity of this Chamber, and I know that there are freshmen Members here today eager to cast their first vote on behalf of the constituents whose trust they hold and the Constitution they love. I challenge those new Members, and any other Republican who values integrity and the sanctity of the democratic process, to stand up for the values of those who trusted you to represent them.

Mr. Speaker, at the close of this debate, I will be asking Members to vote "no" on the previous question so I can strike from the rules package language that would allow the Republicans to run out the clock on serious ethics complaints. Immediately following that vote, I will ask for a "yes" on a motion to commit the resolution so that we can add two important rules changes. The first would prohibit Members from negotiating lucrative job deals that capitalize on their committee membership. The other would guarantee that Members have at least 3 days to read a House report before voting on it. When bills are rushed to the floor, cobbled together at the last minute, warm from the machine, pages are missing or, worse, outrageous provisions are slipped in by committee staff.

Lest we forget, the provision that opened up private taxpayers' records that was sneaked into last year's omnibus spending bill was by just such a staff member.

Mr. Speaker, I urge my colleagues to vote to strike the egregious ethics changes in this package. We owe it to the constituents we serve, to this institution, and to the Constitution that we adore and revere to restore the ethics and integrity to the people's House.